

**IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF TENNESSEE  
AT GREENEVILLE**

---

<b>JENNIFER L. KING</b>	)	
	)	
<b>Plaintiff,</b>	)	
	)	
<b>v.</b>	)	Civil Action No. 2:12-CV-314
	)	<b>Senior District Judge Jordan</b>
<b>ALLIANCEONE RECEIVABLES</b>	)	<b>Chief Magistrate Judge Inman</b>
<b>MANAGEMENT, INC., and</b>	)	
<b>CAPITAL ONE BANK (USA),</b>	)	
<b>NATIONAL ASSOCIATION,</b>	)	<u>Jury Trial Demanded</u>
	)	
<b>Defendants.</b>	)	

---

**PLAINTIFF’S RESPONSE IN OPPOSITION TO DEFENDANT  
CAPITAL ONE BANK (USA), NATIONAL ASSOCIATION’S  
MOTION FOR SUMMARY JUDGMENT**

---

Plaintiff Jennifer L. King, by and through her attorney, and, pursuant to Rule 56(c) of the Federal Rules of Civil Procedure and Local Rule 7.1(c), submits this Response in opposition to Capital One Bank (USA), National Association’s (hereinafter “Capital One”) Motion for Summary Judgment as to all of her claims against Capital One under the Truth In Lending Act, 15 U.S.C. §§ 1601 et seq. (“TILA”).

**INTRODUCTION**

On March 12, 2013, Capital One filed a Motion for Summary Judgment (***Doc. 13***) (“Motion”), and Memorandum of Fact and Law in Support of Motion for Summary Judgment (***Doc. 14***) (“Memorandum”) (collectively “Motion”). Plaintiff files this Response in opposition to the Motion.

### **RESPONSE**

After a thorough review Capital One's Motion and supporting sworn affidavit with exhibits and all documentation Plaintiff possesses, Plaintiff states that she does not have any record of Capital One ever notifying her of the charge off of the debt and that it had stopped adding additional interest to the account. Based on the her review, Plaintiff, by and through counsel, states that she is not opposed to Capital One's Motion, or an order being entered by the Court granting the Motion.

04/19/13

Respectfully submitted,

**JENNIFER L. KING**

/s/ Alan C. Lee  
\_\_\_\_\_  
Alan C. Lee, Esq., BPR #012700  
Attorney for Plaintiff  
P. O. Box 1357  
Talbott, TN 37877-1357  
423-581-0924  
info@alanlee.com

### **CERTIFICATE OF SERVICE**

I hereby certify that this the 19<sup>th</sup> day of April 2013, a copy of the foregoing document was filed electronically. Notice of this filing will be sent by operation of the Court's electronic filing system to all parties indicated on the electronic filing receipt. Parties may access this filing through the Court's electronic filing system.

/s/ Alan C. Lee  
\_\_\_\_\_  
Alan C. Lee, Esq.  
Attorney for Plaintiff